

91st Legislative Session – 2016

Committee: Senate State Affairs

Friday, February 05, 2016

P - Present
E - Excused
A - Absent

Roll Call

P Hunhoff (Bernie)
P Sutton
P Brown
P Holien
P Otten (Ernie)
P Soholt
P Tieszen
P Solano, Vice-Chair
P Cammack, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Gary Cammack, Chair.

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, FEBRUARY 3, 2016

Moved by: Brown
Second by: Holien
Action: Prevailed by voice vote.

SB 73: clarify certain provisions regarding open meetings.

Presented by: Senator Brown
Proponents: David Bordewyk, South Dakota Newspaper Association
Justin Smith, South Dakota Newspaper Association
Marty Jackley, Attorney General

MOTION: DO PASS SB 73

Moved by: Brown

Second by: Soholt
Action: Prevailed by roll call vote. (9-0-0-0)

Voting Yes: Hunhoff (Bernie), Sutton, Brown, Holien, Otten (Ernie), Soholt, Tieszen, Solano, Cammack

SB 91: revise certain provisions concerning the information on the forms provided to persons who sign initiated constitutional amendments or initiated measures.

Presented by: Senator Holien (Handouts: 1, 2, 3)
Proponents: Shantel Krebs, Secretary of State
Representative Bolin

MOTION: AMEND SB 91

91fa

On page 3, between lines 12 and 13 of the printed bill, insert:

"

Section 3. That § 2-1-3.1 be amended to read:

2-1-3.1. The petition as it is to be circulated for a referred law shall be filed with the secretary of state prior to circulation for signatures and shall:

- (1) Contain the title of the referred law;
- (2) Contain the effective date of the referred law;
- (3) Contain the date of the general election at which the referred law is to be submitted;
- (4) Be accompanied by a notarized form that includes the names and addresses of the petition sponsors; and
- (5) Be accompanied by a statement of organization as provided in § 12-27-6.

The petition shall be filed with the secretary of state within ninety days after the adjournment of the Legislature which passed the referred law. A sworn affidavit, signed by at least two-thirds of the petition sponsors, stating that the documents filed constitute the entire petition and to the best of the knowledge of the sponsors contains a sufficient number of signatures shall also be filed with the secretary of state. The form of the petition and affidavit shall be prescribed by the State Board of Elections.

The petition circulator shall provide to each person who signs the petition a form containing the title of the referred law; the name, phone number, and email address of each petition sponsor; and a statement whether the petition circulator is a volunteer or paid petition circulator. The form shall

be approved by the secretary of state prior to circulation."

Moved by: Brown
Second by: Otten (Ernie)
Action: Prevailed by voice vote.

MOTION: AMEND SB 91

91oa

On the previously adopted amendment (91fa), in the last paragraph, before "The" insert "and, if a paid circulator, the amount the circulator is being paid".

On page 2, line 4, of the printed bill, before "." insert "and, if a paid circulator, the amount the circulator is being paid".

On page 3, line 3, before "." insert "and, if a paid circulator, the amount the circulator is being paid".

Moved by: Brown
Second by: Sutton
Action: Prevailed by voice vote.

MOTION: DO PASS SB 91 AS AMENDED

Moved by: Holien
Second by: Brown
Action: Prevailed by roll call vote. (9-0-0-0)

Voting Yes: Hunhoff (Bernie), Sutton, Brown, Holien, Otten (Ernie), Soholt, Tieszen, Solano, Cammack

MOTION: AMEND SB 91

91fta

On page 1, line 2, of the printed bill, after "amendments" insert ", referred laws,".

Moved by: Tieszen
Second by: Soholt
Action: Prevailed by voice vote.

MOTION: PLACE SB 91 ON CONSENT CALENDAR

Moved by: Brown
Second by: Soholt
Action: Prevailed by voice vote.

MOTION: ADJOURN

Moved by: Holien
Second by: Brown
Action: Prevailed by voice vote.

Rena Ortbahn
Committee Secretary

Gary Cammack, Chair